

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

EVELYN HERRINGTON

PLAINTIFF

CIVIL ACTION NO. 2:16cv193-KS-MTP

LIBERTY LIFE ASSURANCE COMPANY OF BOSTON

DEFENDANT

CASE MANAGEMENT ORDER

This Order, including the deadlines established herein, having been established with the participation of all parties, can be modified only by order of the court upon a showing of good cause supported with affidavits, other evidentiary materials, or reference to portions of the record. As this is an ERISA matter, an abbreviated case management order will be entered.

IT IS HEREBY ORDERED:

1. ESTIMATED DAYS OF TRIAL: 1

ESTIMATED TOTAL NUMBER OF WITNESSES:

EXPERT TESTIMONY EXPECTED: No

2. ALTERNATIVE DISPUTE RESOLUTION [ADR].

 X A. Alternative dispute resolution techniques appear helpful and will be used in this civil action as follows:

The parties are ordered and directed to complete private mediation on or before November 3, 2017.

 B. At the time this Case Management Order is offered it does not appear that alternative dispute resolution techniques will be used in this civil action.

3. CONSENT TO TRIAL BY UNITED STATES MAGISTRATE JUDGE.

 A. The parties consent to trial by a United States Magistrate Judge.

X B. The parties do not consent to trial by a United States Magistrate Judge.

4. DISCLOSURE.

 X A. The pre-discovery disclosure requirements of L.U.Civ.R.26(a)(1) have been complied with fully.

 B. The following additional disclosure is needed and is hereby ordered:

5. DISCOVERY PROVISIONS AND LIMITATIONS.

As this is an ERISA matter and such matters are generally decided based on the administrative record, only limited discovery will be permitted. Plaintiff desires to conduct discovery limited to the issues of conflict of interest or bias in the decision making process. Each party may propound 5 interrogatories, 5 requests for production of documents, and 5 requests for admissions limited to these issues. No other discovery will be permitted unless leave of court is obtained to do so. Any motions addressing the need for additional discovery must be filed by not later than June 1, 2017.

6. SCHEDULING DEADLINES.

A. The joint stipulated record shall be filed on or before September 15, 2017.

B. Trial.

1. This matter is set for trial during a trial calendar: March 5-16, 2018 before

District Judge Keith Starrett.

2. ANY CONFLICTS WITH THIS TRIAL DATE MUST BE SUBMITTED IN WRITING TO THE TRIAL JUDGE IMMEDIATELY UON RECEIPT OF THIS CASE MANAGEMENT ORDER.

3. This is a Jury Trial X Non-Jury Trial

C. Pretrial. The pretrial conference is set on: February 15, 2018 before District Judge Keith Starrett.

D. Discovery. All discovery shall be completed by: September 1, 2017.

E. Amendments. Motions for joinders of the parties or amendments to the pleadings must be filed by: April 17, 2017.

F. Experts. The parties' experts shall be designated by the following dates:

1. Plaintiff(s): N/A
2. Defendant(s): N/A

G. Motions. The deadline for filing dispositive motions is June 1, 2017.

SO ORDERED this the 15th day of March, 2017.

s/Michael T. Parker
UNITED STATES MAGISTRATE JUDGE